

REMARKS

Amendments to the claims

Claims 1,3, 4, 6, 12, 20, 21 and 23 are indicated as allowable. Claims 13-16 and 30-35, directed to subject matter either withdrawn from consideration or deemed rejected, are canceled. Minor editorial amendments are made to claims 1, 6, 12, 20 and 21.

Rejection under 35 USC § 112, first paragraph

Claims 13 and 30-32 are rejected under 35 USC § 112, first paragraph, for alleged lack of enablement of the claimed methods. The Examiner asserts that Newman et al. (2003) indicates that there are inconsistencies between *in vitro* and *in vivo* results obtained for inhibition of D3 receptor function by compounds and that "there is no evidence that these compounds actually work the way in which they are intended to do so." In essence, the Examiner asserts that it is not predictable that the presently claimed methods will be operable.

Applicants do not agree, but so as to move prosecution forward have canceled the rejected claims, rendering this rejection moot.

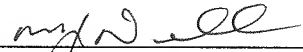
Applicants submit that the present claims are free of the prior art and are well-described by the specification. Withdrawal of the present rejections and allowance of the application are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mark J. Nuell, Ph.D. (Reg. No. 36,623) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: February 18, 2009

Respectfully submitted,

By 

Mark J. Nuell

Registration No.: 36,623

BIRCH, STEWART, KOLASCH & BIRCH, LLP

12770 High Bluff Drive, Suite 260

San Diego, California 92130

(858) 792-8855

Attorney for Applicants